

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to Figs. 3-7. These sheets, which include Figs. 3-8, replace the original sheets including Figs. 3-8.

Attachment: Replacement Sheets.

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REMARKS

Claims 1-4 and 9-10 have been amended, and Claims 6 and 13-18 have been canceled without prejudice. Figure 3 of the application discusses the features of Claim 1; Page 13, lines 12-13 of the specification discuss the features of Claim 2; Page 13, lines 21-23 and Page 14, lines 8-10 of the specification discuss the features of Claim 3; and Page 12, lines 18-19 of the specification discuss the feature of Claim 4. No new matter has been added by the amendment.

The Examiner has requested updating the Title of the present application. The title has been amended to recite "APPARATUS FOR CONTINUOUSLY PRODUCING ARTIFICIAL MARBLE".

The drawings are objected to because the numbering, lines, structural detailing and shading in Figures 3-7 are of such poor quality that the apparatus structure is not clearly shown. Applicants respectfully submit replacement drawings in compliance with 37 CFR 1.121(d).

The abstract of the disclosure is objected to because of the inclusion of the legal phraseology "means" on line 7. The Abstract has been amended to overcome the objection.

Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Since Claims 6 and 13 have been canceled without prejudice, the rejection of Claims 6 and 13 is moot.

Claims 1-4 and 10 have been amended to overcome the rejection. The trade name Teflon, in Claim 9, has been amended to recite "polytetrafluoroethylene". Because the trade name Teflon is known as a chemical name "polytetrafluoroethylene", the amendment to Claim 9 incorporates no new matter.

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Claims 6 and 13 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Since Claims 6 and 13 have been canceled without prejudice, the objection of Claims 6 and 13 is moot.

Claim 3 is objected to because of informalities. Claim 3 has been amended to correct the informalities.

Claims 1 and 5-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Junker et al., U.S. Pat. No. 3, 422,178 (hereinafter "Junker") in view of either Toyooka et al., U.S. Pat. No. 4,254,074 (hereinafter "Toyooka") or Japanese patent document 10-217264 (hereinafter "Japan '264"). Since Claim 6 has been canceled without prejudice, the rejection of Claim 6 is moot.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). Junker, Toyooka, and Japan '264, alone or in combination, do not teach or suggest all elements of Claim 1.

Claim 1 recites an apparatus for continuously producing an artificial marble plate comprising: upper and lower carrier films facing each other and receiving a raw material compound for the artificial marble plate into a gap therebetween; upper and lower horizontal heating plates receiving the upper and lower carrier films into a gap therebetween, each including temperature controlling means and heating means for heating upper and lower surfaces of the raw material compound at a same temperature by a same heat transmission manner to harden the raw material compound; and a pair of gaskets disposed at horizontal edges of the upper and lower carrier films for regulating thickness and width of the artificial marble plate obtained by hardening the raw material compound.

In contrary, Col. 5, lines 15-17 of Junker simply teach that other means for heating and

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cooling can be employed in place of circulating liquids, as for example, electric heating located either within or outside the platens. However, Junker neither teaches nor suggests the temperature controlling means and heating means for heating upper and lower surfaces of the raw material compound at a same temperature by a same heat transmission manner, as recited in Claim 1. Further, as stated by the Examiner on page 6 of the office action, Junker fails to teach or suggest upper and lower carrier films. Junker still fails to teach or suggest the upper and lower horizontal heating plates receiving the upper and lower carrier films into a gap therebetween, as recited in Claim 1.

Col. 5, lines 24-29 of Toyooka teach that the monomer or monomer-polymer mixture for acrylic synthetic resin syrup is poured into the space surrounded by the surfaces of the upper and lower belts 1 and 1' at least one of which has the film F or F' allowed to stick thereon, by gaskets 7 and 7', the syrup being from feeding means 6 through gear pump 5. Therefore, in Toyooka, the monomer or monomer-polymer mixture is poured into the space surrounded by the surfaces of the belts 1 and 1', rather than the gap between the films F and F'. Thus, Toyooka neither teaches nor suggests the element "upper and lower carrier films facing each other and receiving a raw material compound for the artificial marble plate into a gap therebetween", as recited in Claim 1. Further, Toyooka fails to teach or suggest the element "upper and lower horizontal heating plates receiving the upper and lower carrier films into a gap therebetween, each including temperature controlling means and heating means for heating upper and lower surfaces of the raw material compound at a same temperature by a same heat transmission manner to harden the raw material compound", as recited in Claim 1. Accordingly, even though Toyooka is combined with Junker, the combination of Junker and Toyooka does not teach or suggest all elements of Claim 1.

Japan '264 neither teaches nor suggests the element "upper and lower horizontal heating plates receiving the upper and lower carrier films into a gap therebetween, each including temperature controlling means and heating means for heating upper and lower surfaces of the raw material compound at a same temperature by a same heat transmission

manner to harden the raw material compound", as recited in Claim 1. Accordingly, even though Japan '264 is combined with Junker, the combination of Junker and Japan '264 does not teach or suggest all elements of Claim 1.

As stated above, any of Junker, Toyooka, and Japan '264 does not teach or suggest the element "upper and lower horizontal heating plates receiving the upper and lower carrier films into a gap therebetween, each including temperature controlling means and heating means for heating upper and lower surfaces of the raw material compound at a same temperature by a same heat transmission manner to harden the raw material compound", as recited in Claim 1. Therefore, Junker, Toyooka, and Japan, alone or in combination, does not render Claim 1 obvious. Claims 5 and 7-12 depend from Claim 1, and thus are believed to be allowable due to their dependency on Claim 1.

Claims 2-4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Junker in view of either Toyooka et al. or Japan '264, and further in view of Yukawa et al., U.S. Pat. No. 5,658,508 (hereinafter "Yukawa"). Since Claim 13 has been canceled without prejudice, the rejection of Claim 13 is moot.

Yukawa fails to teach or suggest "upper and lower horizontal heating plates receiving the upper and lower carrier films into a gap therebetween, each including temperature controlling means and heating means for heating upper and lower surfaces of the raw material compound at a same temperature by a same heat transmission manner to harden the raw material compound", as recited in Claim 1, from which Claims 2-4 depend. Therefore, Yukawa does not cure the deficiency of the combination of Junker, Toyooka, and Japan '264. Accordingly, the Junker, Toyooka, Japan '264, and Yukawa, alone or in combination, does not render Claim 1 obvious. Therefore, Claims 2-4 are believed to be allowable due to their dependency on Claim 1.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

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If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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